

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

ZAVIUS ANTWAN AVERETTE,)
)
Plaintiff,)
) CIVIL ACTION NO.
v.) 2:06cv399-MHT
) (WO)
WILLIE COPELAND and)
ANNIE LATIMORE,)
)
Defendants.)

JUDGMENT

On December 1, 2008, after this cause had been submitted to a jury, a verdict was returned as follows:

1. May plaintiff Zavius Antwan Averette prevail on his claim against defendant Willie Copeland of unconstitutional use of excessive force?

Yes _____
No X

2. May plaintiff Averette prevail on his claim against defendant Copeland for assault and battery?

Yes _____
No X

3. May plaintiff Averette prevail on his claim against defendant Latimore for unconstitutional deliberate indifference for failing to protect him from Copeland's alleged use of excessive force?

Yes _____
No X

4. May plaintiff Averette prevail on his claim against defendant Latimore for conspiracy to commit assault and battery?

Yes _____
No X

XXX

SO SAY WE ALL.

/s/ Ronald Thomas Pinckard
Foreperson

DATED: 12/01/08

It is therefore the ORDER, JUDGMENT, and DECREE of the court that judgment is entered in favor of defendants Willie Copeland and Annie Latimore and against plaintiff Zavius Antwan Averette, with plaintiff Averette taking nothing by his complaint.

It is further ORDERED that costs are taxed against plaintiff Averette, for which execution may issue.

The clerk of the court is DIRECTED to enter this document on the civil docket as a final judgment pursuant to Rule 58 of the Federal Rules of Civil Procedure.

DONE, this the 3rd day of December, 2008.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE